



**ఆంధ్రప్రదేశ్ రాజపత్రము**  
**THE ANDHRA PRADESH GAZETTE**  
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**PART VII EXTRAORDINARY**

No.10

AMARAVATI, MONDAY, FEBRUARY 12, 2024

G.3839

**NOTIFICATIONS BY GOVERNMENT**

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT**  
**(VIG. III)**

**Memo.No.12728/Vig.III/A1/2015.**

**Dated: 24-07-2023.**

UNAPPROVED AND IRREGULAR LAYOUT IN THOTAPALEM GRAM PANCHAYAT AND ETCHERLA GRAM PANCHAYAT OF ETCHERLA MANDAL OF SRIKAKULAM DISTRICT AND EVASION SECURITY DEPOSIT AND LAYOUT FEES AND NON-REGISTRATION OF 10% OF LAYOUT AREA AS OPEN SPACE AND CAUSED LOSS OF REVENUE OF Rs.6,67,54,828/- TO GRAM PANCHAYATS - DISCIPLINARY ACTION INITIATED AGAINST THE OFFICIALS - AOCs ISSUED - WSDs FURNISHED - INQUIRY OFFICER & PRESENTING OFFICER APPOINTED - INQUIRY REPORT RECEIVED - COMMUNICATING INQUIRY REPORT TO THE CHARGED OFFICERS.

- Ref:-
1. From the GA (V&E) Department Vigilance Report No.20 (C.No.182/V&E/D1/2015), dt.25.02.2015.
  2. G.O.Ms.No.24, PR&RD(Vig.III) Deptt., dt.28.03.2016.
  3. G.O.Rt.No.300, PR&RD(Vig.III) Deptt., dt.28.03.2016.
  4. From CPR&RE, Lr.No.7077/CPR&RD/E2.vig/2015, dt.16.06.2016.
  5. G.O.Rt. No. 212 PR&RD(Vig.III) Deptt., Dated 21.02.2019.
  6. Memo.No.12728/Vig.III/A1/2015 Dated. 14/08/2020
  7. From Commissioner, PR&RD Letter No.499498/CPR&RD/VIG/2015, dated:18.01.2023

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The Inquiry Report received through the reference 7<sup>th</sup> cited from the Commissioner, PR&RD in the disciplinary case of Smt. M. Renuka, former Panchayat Secretary, Thotapalem G.P. and (6) others, in the common proceedings on the allegations of Unapproved and irregular Layout in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District and Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space and Caused loss of revenue of Rs.6,67,54,828/- to Gram Panchayats, is enclosed herewith.

2. The Inquiry Report on the charges framed against Smt. M. Renuka, former Panchayat Secretary, Thotapalem G.P. and (6) others is hereby communicate under rule 21(2) of A.P.C.S (CCA) Rules, 1991.

3. The Charged Officers are therefore, requested to submit their explanation, if any, **within 15 days** from the date of receipt of the Inquiry report. If the explanation is not received from them within the stipulated time, it will be construed that they have no explanation to offer and further action will be taken in the matter as per rules.

**B. RAJSEKHAR,**

*Special Chief Secretary to Government.*

To

Smt. M. Renuka, former Panchayat Secretary, Thotapalem GP, Etcherla(M) and presently working as EO, (PR & RD), Amadalavalasa Mandal, Srikakulam District through the District Panchayat Officer, Srikakulam District.

Sri M. Suryanarayana, the then former Panchayat Secretary(Retd.), Thotapalem GP, Etcherla(M) through the District Panchayat Officer, Srikakulam District.

Sri M. Srinivasa Rao, the then former Panchayat Secretary, Thotapalem GP, Etcherla (M) and presently working as Panchayat Secretary, Kesavarayunipalem GP, Laveru Mandal (M), Srikakulam District through the District Panchayat Officer, Srikakulam District

Smt. R. Sudharani, former Panchayat Secretary, Etcherla GP, Etcherla (M) and presently working as Panchayat Secretary, Jarajam Gram Panchayat, Etcherla (M), Srikakulam District through the District Panchayat Officer, Srikakulam District

Sri D. Ananda Rao, former Panchayat Secretary, Etcherla GP, Etcherla (M) and presently working as Panchayat Secretary, Tulugu Gram Panchayat, Gara Mandal, Srikakulam District through the District Panchayat Officer, Srikakulam District

Sri K. Thirupathi Rao, former Panchayat Secretary, Thotapalem GP, Etcherla (M) and presently working as Panchayat Secretary, Santhavurthy Gram Panchayat, G. Sigadam Mandal, Srikakulam District through the District Panchayat Officer, Srikakulam District

Sri T. Kurma Rao, Panchayat Secretary, Thotapalem GP and Etcherla G.P, Etcherla (M) and presently working as Panchayat Secretary, Jadupalli Gram Panchayat, Kanchili Mandal, Srikakulam District through the District Panchayat Officer, Srikakulam District

The District Panchayat Officer, Srikakulam District - to serve the Memo with IR on the C.O and to furnish dated ack of served copy with explanation if any.

The Commissioner, PR&RD,A.P., Tadepalli, Guntur District - to coordinate with the DPO, Srikakulam District and to submit report to Govt., expeditiously.

**INQUIRY REPORT ON THE DEPARTMENTAL ENQUIRY HELD AGAINST SMT.M.RENUKA AND 6 OTHERS, THE THEN PANCHAYAT SECRETARIES OF THOTAPALEM AND ETCHERLA GRAM PANCHAYATS OF ETCHERLA MANDAL, SRIKAKULAM DISTRICT. (AS PER VIGILANCE REPORT No.20).**

I have conducted the enquiry on 24 .11. 2021 and my Inquiry Report is submitted below:

I. Participation by the Charged Officers in the inquiry and Defence Assistants available to them.

All the above (7) Charged Officers have participated in the inquiry from the beginning to the end. They did not choose to utilize any Defense Assistants throughout the proceedings of the enquiry.

II. Articles of Charges and substance of imputations of misconduct or misbehavior:

The Articles of Charges leveled against each Panchayat Secretary have been issued vide Government Orders in respect of the each Panchayat Secretary separately. As such, the Articles of Charges framed by the Govt., the Statement of Defence submitted by the Panchayat Secretary previously or during the present enquiry and the findings of the Inquiry Officer are submitted below: (Individual Wise) :

**THOTAPALAM GRAM PANCHAYAT :-**

**1)Name of the Charged Officer:- Smt. M. Renukha, the then Panchayat Secretary Gr-I and presently working as EO, PR & RD, Amadalavalasa Mandal, Srikakulam District:**

The following Article of Charges were framed against the above Charged Officer vide **G.O.Rt.No.298 Dt. 28.3.16.**

**01.Article of Charge-I:-** That **Smt. M.Renuka**, the then Panchayat Secretary, Thotapalem, Gram Panchayat Srikakulam District while working as Panchayat Secretary, Thotapalem Gram Panchayat has committed irregular approval of Layout Plan in Thotapalem and Duppalavalasa villages of Thotapalem Gram Panchayat in the area of VUDA/ DTCP., violating the rules and failure to guide the Local Body, also failure to get the 10% of Open space registered to Gram Panchayat with fees payable, failed to pursue action properly and caused loss to the Gram Panchayat. Hence, the Charge.

**Defence statement of the Charged Officer :-** In this regard, I submit that I have taken charge of Panchayat Secretary of Thotapalem Gram Panchayat as In-charge on 01.08.2003 to 09.11.2005 and 25.11.2005 to 18.04.2006. The (9) layouts said to have been irregular were not developed in my tenure. After noticing the irregularity the old records were verified and it was observed the following layouts were approved by the Gram Panchayat of Thotapalem in the resolutions noted against each.

Sl. No.	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution & Date.
1	Navayuga Housing Ltd, Thotapakem.	21.35	Resolution No. 13 Dt. 14.05. 2006
2	Sri Sai Aditya Township, Thotapalem.	20.82	Resolution No. 12 Dt. 05.01. 2007
3	Boddepalli Venkata Laxmibhai, Srikakulam.	2.80	Resolution No. 143 Dt. 05.01.2007
4	J.Giridhara Rao, Sri Balaji Investments, Srikakulam.	7.25	Resolution No. 30 Dt. 29. 08. 2007
5	Sri Matha Enclave, Duppalavalasa.	3.80	Resolution No. 39 Dt. 26.11.2007
6	Dunga Sarojini, Peyyalavanipeta.	1.98	Resolution No. 70 Dt. 17.08.2008
7	Hanumanthu Krishna Rao, Srikakulam.	4.00	Resolution No. 97 Dt. 05.05.2009
8	Kothapalli Krishna Rao, Thotapalem.	7.66	Resolution No. 138 Dt. 28.01.2010
9	Chinni Venkateswara	2.20	Resolution No. 178 Dt. 30.12.2010

The above (9) Layouts were not developed during my tenure in the Gram Panchayat. They were all developed after my relief from Thotapalem Gram Panchayat. I have no way concerned about approvals of the said lay outs in the Gram Panchayat Further, it is submitted that the Thotapalem Gram Panchayat and Etcherla Mandal were included in the VUDA along with certain other villages and Mandals in Srikakulam District Vide G.O.MS No. 525 MA &UD Dt. 30.07.2008. Accordingly, the control over the lay outs and building permission, such powers transferred to the VUDA Authorities as per G.O.MS.No.451 MA & UD dept., Dt, 26.08.1988. But, the Govt., have restored only some powers to the Gram Panchayats Vide GO.Ms.No.408 MA & UD Dt. 08.08.19914, such as grant of building permission for G+2 floors in approved layouts, Residential buildings, permissions in village settlement areas; plot sub-division permissions in VUDA approved layouts etc. Further, it is submitted that the list of un-authorized layouts in Thotapalem Gram Panchayat were submitted to VUDA Authorities and Higher authorities for necessary action. No building permission was given to any owner in the said layouts for construction of dwellings. And I submit that no fault upon me as I have taken action at my level next in this aspect while working short duration as In-charge to the post of Panchayat Secretary of Thotapalem Gram Panchayat. Therefore, I am denying this Article of Charge for imposing the charge up on me. I request the authorities to drop the charge by considering the above facts.

**02. Article of Charge-II :-** That **Smt. M.Renuka**, Panchayat Secretary, Thotapalem, Gram Panchayat, Srikakulam District while working as Panchayat Secretary Thotapalem, Gram Panchayat has caused loss to Government and to Thotapalem Gram Panchayat, Etcherla Mandal, Srikakulam District violating the Govt., orders issued in G.O.Ms. No.67 PR&RD (Pts.IV) Dept., Dt. 26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence the Charge.

**Defence statement of Charged Officer:-**

In this connection, I submit that the layout said to have been un-authorized layouts without following the rules and regulations in the conforming of layouts were approved by the Gram Panchayat Thotapalem after my relinquish in the Thotapalem Gram Panchayat. And the control over the formation of layouts, development of layouts and also issued of permissions were transferred to the VUDA Authorities as the Gram Panchayat Thotapalem and Duppalavalsa villages of Etcherla Mandal along with Gram Panchayats of certain other Mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.MS No.525 MA &UD dept., Dt, 30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and Higher authorities for necessary further course of action.

**Presenting Officer remarks :- (on the charges -I & II).**

The Charged Officer stated that she worked as Panchayat Secretary, Thotapalem GP from 01.08.2003 to 09.11.2005 and 25.11.2005 to 18.04.2006. She stated that she has given her explanation on 19.05.2016 for the 2 charges issued in the G.O.RT. No.298 Dt. 28.03.2016 and she is confirming the earlier statement of defence. She also stated that the un-authorized layouts taken place after her relieve for the charge of Thotapalem P.S.



**III. Case of the Disciplinary Authority:**

I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P. Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in her Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge on 01.08.2003 to 09.11.2005 and 25.11.2005 to 18.04.2006. The (9) layouts said to have been irregular were not developed in her tenure.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (**14.05.2006**), **2007, 2008, 2009 and 2010 (30.12.2010)** respectively. Whereas the Panchayat Secretary has worked on deputation during the period **from 01.08.2003 to 09.11.2005 and from 25.11.2005 to 18.04.2006.**

**VI. Findings of the Enquiry Officer on Charges I and II:-** The Charged Officer has worked as Panchayat Secretary from 01.08.2003 to 09.11.2005 and from 25.11.2005 to 18.04.2006 as per report of the MPDO, Etcherla Mandal in his RC.No.43/2015/SA dt.29.12.2015. As could be verified with the G.P., records, it is revealed that the Gram Panchayat have approved a total No. of (9) layouts unauthorizedly. It is established that the Charged Officer has not approved any layouts during his tenure as Panchayat Secretary, Thotapalem. The Sarpanch of the G.P., has approved unauthorized layouts without following the due procedure as per VUDA/DTCP norms. Therefore, **the Charges I and II are not held proved.**

**02.Name of the Charged Officer :- Sri. M. Suryanarayana, the then Panchayat Secretary Gr-IV (now retired form service on 31.10.2010)**

The following Article of Charges were framed against the above Charged Officer vide **G.O.Ms.No.300 dt.28.03.2016.**

**01.Article of Charge-I:-** That **Sri. M.Suryanarayana the then Panchayat Secretary, Thotapalem, Gram Panchayat Srikakulam District** while working as Panchayat Secretary Thotapalam, Gram Panchayat has committed irregular approval of Layout Plan in Thotapalam & Duppalavalsa villages of Thotapalam Gram Panchayat in the area of VUDA/ DTCP., violating the rules and failure to guide the Local Body, also failure to get the 10% of Open space registered to Gram Panchayat with fees payable, Failed to purse action properly and caused loss to the Gram Panchayat. Hence the Charge.

**Defence statement of Charged Officer:**

It is submit that he was taken charge of Panchayat Secretary of Thotapalam Gram Panchayat as in-charge from **01.08.2007 to 31.10.2010. The 9 layouts said to have been irregular were not developed in my tenure.** After noticing the irregularities the old records were verified and it was observed the following layouts were approved by the Gram Panchayat of Thotapalam in the resolution noted against each in my tenure.

Sl. No.	Name of the Layout	Extent in Acers	Gram Panchayat approved in which resolution & Date.
1	Sri Matha Enclave, Duppalavalasa	3.80	ResolutionNo.39dt.26.11.2007
2	Boddepalli Venka Laxmibhai, Srikakulam	2.80	Resolution No.70 dt 17.08.2007
3	Durga Sarojini, Peyyalavanipeta	1.98	Resolution No.143 dt.5.01.2007
4	Kothapalli Krishna Rao, Thotapalem	7.66	Resolution No.138 dt.8.01.2010
5	J.Giridhara Rao, Sri Balaji Investments, Srikakulam	7.25	Resolution No.30 dt.29.08.2007
6	Hanumanthu Krishna Rao, Srikakulam	4.00	Resolution No. 97 Dt.5.05.2009

The above 6 layouts were developed during his tenure in the Gram Panchayat. They were all developed in Thotapalam Gram Panchayat. I have no way concerned about approvals of the said layouts in the Gram Panchayat. As I have deployed from V.A.O. Service to the Panchayat Secretary Service, I have no much knowledge about the layout rules. The developers have developed layouts and given to the Sarpanch, Thotapalam. On the direction of the then E.O.(PR&RD), Etcherla who is the higher authority to me, I have signed on the layout as the Gram Panchayat have passed the resolution as said above and submitted to the **Mandal Panchayat Officer, Etcherla** for further action.

The list of un-authorized layouts in the Thotapalam Gram Panchayat were submitted to VUDA authorities and Higher authorities for further necessary action. No building permissions was given to any owner in the said layouts for construction of dwellings. And no fault up on me as I have taken action at my level best in this aspect while working short duration as in-charge to the post of Panchayat Secretary of Thotapalam Gram Panchayat. And I have retired from service above 5 years and I am stunning to this charge Memo now given after 5 years.

Therefore, I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Presenting Officer remarks :** He worked at Thotapalem Gram Panchayat from 00.09.2008 to 31.10.2008. the order copy sent to me to served Sri. M.Suryanarayana, retired Panchayat Secretary. We are unable to serve copy to that person because he was worked up to 31.10.2010.We are unable to trace his whereabouts.

**02. Article of Charge-II:-** That Sri.M.Suryanarayana, Panchayat Secretary, Thotapalem, Gram Panchayat, Srikakulam District while working as Panchayat Secretary, Thotapalem, Gram Panchayat has caused loss to Government and to Thotapalem Gram Panchayat, Etcherla Mandal, Srikakulam District violating the Govt., orders issued in G.O.Ms.No.67 PR&RD (Pts.IV) Dept., Dt. 26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of delinquent Officer :-**

I submit that the layout said to have been un-authorized layouts without following the rules and regulations in the conforming of layouts were approved by the Gram Panchayat, Thotapalem after my relinquish in the Thotapalem Gram Panchayat. And the control over the formation of layouts, development of layouts and also issued of permissions were transferred to the VUDA Authorities as the Gram Panchayat Thotapalem and Duppalavalsa villages of Etcherla Mandal along with Gram Panchayats of certain other Mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.MS.No.525 MA &UD dept, dt.30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and Higher authorities for necessary further course of action. And further she submitted that the empowering and enforcement responsibility of the **AP Agricultural purpose Act 2006** come in to force from **02.01.2006** and different land laws is rests upon the Revenue authorities concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in kharif and Rabi seasons of every year in the agricultural field. When it was identified that the land utilized against the Agricultural activity should take action accordingly as the unauthorized layouts development by converting agriculture land. The Panchayat Secretary is looking over Panchayat Administration i.e, Tax collection issue of Building permissions, Licenses, Births and Deaths maintenance of Gram Panchayat records and Accounts and also disbursement of Social Security Pensions etc. Further submit that I have discharged the duties as in charge Panchayat Secretary instead of the Thotapalem Gram Panchayat is the Gr-I Panchayat though I am Grade-IV Panchayat Secretary, no trainings were given to the Panchayat Secretaries about layouts process.

Therefore, denying above charge that I have caused to loss of Rs.3,65,30,936/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 and 2010 without following the rules and regulation issued in G.O.Ms.No.67 PR&RD (Pts-II) Dt. 26.02.2002 and the un-authorized layouts approvals are liable to cancellation by the VUDA authorities at any time or taking course of necessary action. And I request the authorities to drop the charges issued against me by considering the overall facts.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District.Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter.

The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P. Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that **the above 6 layouts were developed during his tenure in the Gram Panchayat.** They were all developed in Thotapalam Gram Panchayat of Etcherla Mandal, Srikakulam District.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II:-** I submit that the contention of the Charged Officer that he has no way concerned about approvals of the said layouts in the Gram Panchayat. As he was deployed from V.A.O. Service to the Panchayat Secretary Service and he has no much knowledge about the layout rules cannot be treated as defence to the irregularities committed by him.

Added to this, the developers have developed layouts and given to the Sarpanch, Thotapalem and on the direction of the then E.O.(PR&RD), Etcherla who is the higher authority to him, has signed on the layout as the Gram Panchayat have passed the resolution as said above and submitted to the Mandal Panchayat Officer, Etcherla for further action is nothing but shirking the responsibility on his superior officer and dereliction of his duties as a responsible Panchayat Secretary which is highly objectionable. **In fact, out of (9) layout approved, (5) layouts** i.e., vide Thotapalem Gram Panchayat **Resolution Nos.30,39,70,97,138**, respectively. **Therefore, the Charges I and II are held proved.**

### **03.Name of the delinquent Officer :- Sri. M.Srinivasa Rao**

The then Panchayat Secretary Gr-IV. and presently working as Panchayat Secretary, Kesavarayunipalem G.P., of Laveru Mandal, Srikakulam District.

The following Article of Charges were framed against the above Charged Officer vide **G.O.MS.No.301 dt.28.03.2016.**

**01.Article of Charge-I:-** That Sri. M.Srinivasa Rao the then Panchayat Secretary, Thotapalem, Gram Panchayat Srikakulam District while working as Panchayat Secretary Thotapalem, Gram Panchayat has failure to get the 10% of Open space registered to Gram Panchayat with fees payable, from the layout owners in Thotapalem & Duppalavalsa Gram Panchayat failed to purse action properly and caused loss to the Gram Panchayat. Hence the Charge.

### **Defence statement of Charged Officer :-**

In this regard I have taken charge of Panchayat Secretary of Thotapalem Gram Panchayat as In- Charge on **01.01.2011 to 04.08.2012.** The 9 layouts said to have been irregular were not development in his tenure. After noticing the irregularity the old records were verified and it was observed the following layouts were approved by the Gram Panchayat of Thotapalem in the resolutions noted against each.



Sl.No.	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution & Date.
1	Sri Sai Aditya Township Thotapalam	20.82	Resolution No. 12 Dt. 05.01.2007
2	Navaguga Housing Ltd. Thotapalam	21.35	Resolution No. 13 Dt. 14.05.2006
3	Sri Matha Enclave, Duppalavalsa	3.80	Resolution No. 39 Dt. 26.11.2007
4	Boddepalli Venkata Laxmibai, Srikakulam	2.80	Resolution No. 70 Dt. 17.08.2008
5	Kothapalli Krishna Rao, Thotapalam	7.66	Resolution No. 138 Dt. 28.01.2010
6	J.Giridhara Rao, Sri Balaji Investments, Srikakulam	7.25	Resolution No. 30 Dt. 29.08.2007
7	Hanumanthu Krishna Rao Srikakulam	4.00	Resolution No. 97 Dt.05.05.2009
8	Chinni Varahalamma,	2.20	<b>Resolution No. 178 Dt 30.12.2010</b>
9	Dunga Sarojini, Peyyalavanipeta,	1.98	Resolution No. 143 Dt. 05.01.2007

As and when noticed the irregularity, while going through the old record of the Gram Panchayat, that I have issued notices to the Realtors as follows as per the addresses noted in the plan copy of layout vide Rc.No.18/2011 Dt. 26.12.2011 to the owners of the said layouts separately by Register post with Acknowledgement due, informing the lapses noticed in the Layout outs developed by the said developers.

1. That the 10% Reserved open place was not handed over to the Gram Panchayat by Register deed for community purpose.
2. Roads, Drains and Plantation have not been developed in the layout.
3. Land Conversion charges were not paid to the Revenue Authorities as per Land Conversion Rules in force.
4. Technical sanctions were not obtain either by Town planning Authorities or VUDA Authorities as per norms
5. Final Approvals have not been obtained from Gram Panchayat.

But all the notices were returned to the Gram Panchayat Office with a remarks that no such addresses at the location of addresses informed. Further, it is submitted that the Thotapalem Gram Panchayat in Etcherla Mandal were included in the VUDA authority along with certain other Villages and mandals in the Srikakulam District Vide GO.Ms.No.525 MA &UD Dt. 30.07.2008. Accordingly the control over the layouts and building permission, such powers were transferred to the VUDA Authorities as per the Go.Ms.No.451 MA & UD Dt. 26.08.1988. But the Govt., have restored only some powers to the Gram Panchayats vide GO.Ms.No.408 MA&UD Dt.08.08.19914 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas; plot sub-division permissions in VUDA approved layout etc.,. Further, it is submitted that the list of un-authorized layouts in the Thotapalem Gram Panchayat were submitted to VUDA Authorities and Higher authorities for further necessary action. No building permission was given to any owner in the said layouts for construction of dwellings. And I submit the no fault upon me as I gave taken action at my level best in this aspect while working short duration as in-charge to the post of Panchayat Secretary of Thotapalem Gram Panchayat.

**Presenting Officer Remarks :-** The Charged Officer has failed to submit his explanation.

**02.Article of charge-II:** That Sri. M.Srinivalsa Rao, Panchayat Secretary, Thotapalem, Gram Panchayat, Srikakulam District while working as Panchayat Secretary, Thotapalem, Gram Panchayat has caused loss to Government and to Thotapalem Gram Panchayat Etcherla Mandal, Srikakulam District violating the Govt., orders issued in G.O.Ms. No.67 PR&RD (Pts.IV) Dept., Dt.26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of Charged Officer :-**

I submit that the layouts said to have been un-authorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Thotapalem during the 2006 to 2007. And the control over formation



of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Thotapalem and Duppalavalsa villages of Etcherla Mandal along with Gram Panchayats of certain other Mandals in Srikakulam District as they have been included in the VUDA jurisdiction vide GO.Ms.No.525 MA &UD Dt. 0.07.2008. As the lists of un-authorized layouts in the Gram Panchayat were submitted to the VUDA Authorities and Higher authorities for necessary further course of action. Further, I submit that as per imputation shown for issuing charge are that the Gram Panchayat authorities have failed to collect the Non- Agricultural Land Tax and caused to loss to the government and Panchayat. In this connection, it is submitted that the empowering and enforcement responsibility of AP Agricultural purpose Act 2006 come in to force from 02.01.2006 and different land laws is rests upon the Revenue authorities concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural filed. When it was identified that the land utilized against the Agriculture activity should take action accordingly as the unauthorized layouts developed by converting agriculture land.

The Panchayat administration i.e., Tax Collection issue of Building permissions, License Births and Deaths, Maintenance of Gram Panchayat records and Account and also disbursement of Social Security Pensions etc.

Therefore, I am denying this charge that I have caused to loss of Rs. 3,65,30,936/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 without following the rules and regulation issued in GO.Ms No.67 PR&RD (Pts-II) Dt. 26.02.2002 and the un-authorized layouts approval are liable to cancellation by the VUDA Authorities at any time or taking course of necessary action. I request the authorities to consider the above matter and drop the charge upon.

It is not possible at Panchayat Secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities as the where about of Realtors was not found place. Therefore, I request the authorities to drop the charges issued against me by considering the overall facts.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P.Revised Pension Rules, 1980.

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**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge from **01.11.2011 to 04.08.2012**. The Gram Panchayat Resolution No.178 dt.30.12.2010 of Ethcerla G.P., for an extent of Ac.2.20 cents covered by Survey Nos.166, 169 was approved during his tenure as Panchayat Secretary.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II:-**

The delinquent officer, has stated that in his defence statement he was worked in the Thotapalem Gram Panchayat as in- charge from 01.01.2011 to 24.08.2011, In this regard, the then M.P.D.O. Etcherla has submitted service particulars vide Rc.No. 43/2015 SA, Dt. 29.12.2015 working in the Thotapalem Gram Panchayat Sri.M.Srinivasa Rao the then Panchayat Secretary Thotapalem Gram Panchayat (In-charge) from **01.11.2010 to 07.08.2012**. The contention of the Charged Officer that the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural fields is not acceptable.

As seen from the copies of minutes of records of Thotapalam Gram Panchayat one layout have been approved irregularly Vide GP Resolution No. 178 Dt. 30.12.2010, in the name of layout owner of Smt. Ch. Varalaxmi. Being a responsible Panchayat Secretary, he is not supposed to defend his responsibility by stating that it is not possible at Panchayat Secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities time to time as the where about of Realtors was not found place. This shows his callousness and recklessness towards his official duties as a Panchayat Secretary which is highly objectionable. Therefore, the **Charges I and II are held proved.**

**04.Name of the delinquent Officer:- Sri. T.Kurma Rao, the then Panchayat Secretary Gr-I and presently working as Panchayat Secretary, Jadupalli G.P., Kanchili Mandal, Srikakulam District**

The following Article of Charges were framed against the above Charged Officer vide G.O.Ms. No.302 dt.28.03.2016

**01.Article of Charge-I:-** That Sri. T.Kurma Rao, the then Panchayat Secretary, Thotapalem, Gram Panchayat Srikakulam District has failure to get the 10% of Open space registered to Gram Panchayat with fees payable, from Layout owners in Thotapalam & Duppalavalasa Gram Panchayat. Failed to purse action properly and caused loss to the Gram Panchayat. Hence, the Charge.

**Defence statement of Charged Officer :-**

I submit that I have taken charge of Panchayat Secretary of Thotapalem Gram Panchayat on 08.08.2012. The 9 layouts said to have been irregular were not developed in my tenure. After noticing the irregularity the old records were verified and it was observed the following layouts were approved by the Gram Panchayat of Thotapalem in the resolutions against each.

Sl.No.	Name of the Layout	Extent in Acers	Gram Panchayat approved in which resolution & Date.
1	Sri Sai Aditya Township, Thotapalam	20.82	Resolution No. 12 Dt. 05.01.2007
2	Navaguga Housing Ltd, Thotapalam	21.35	Resolution No. 13 Dt. 14.05.2006
3	Sri Matha Enclave, Duppalavasa	3.80	Resolution No. 39 Dt. 26.11.2007
4	Boddepalli Venkata Laxmibai, Srikakulam	2.80	Resolution No. 70 Dt. 17.08.2008
5	Kothapalli Krishna Rao, Thotapalam	7.66	Resolution No. 138 Dt. 28.01.2010
6	J.Giridhara Rao, Sri Balaji Investments, Srikakulam	7.25	Resolution No. 30 Dt. 29.08.2007
7	Hanumanthu Krishna Rao, Srikakulam	4.00	Resolution No. 97 Dt.05.05.2009
8	Chinni Varahalamma	2.20	Resolution No. 178 Dt 30.12.2010
9	Dunga Sarojini, Peyyalavanipeta,	1.98	Resolution No. 143 Dt. 05.01.2007

As and when noticed the irregularity, while going through the old record of the Gram Panchayat, that my predecessor Panchayat Secretary has he issued notices to the Realtors as follows as per the addresses noted in the plan copy of layout vide Rc.No.18/2011 Dt. 26.12.2011 to the owners of the said layouts separately by Registered post with Acknowledgement due, informing the lapses noticed in the Layouts developed by the said Developers.

1. That the 10% Reserved open place was not handed over to the Gramapanchayat by Registered deed for community purpose.
2. Roads, Drains and Plantation have not been developed in the lay out.
3. Land Conversion Charges were not paid to the Revenue Authorities as per Land Conversion Rules in force.
4. Technical sanctions were not obtained either by Town Planning Authorities or VUDA Authorities as per norms.
5. Final Approvals have not been obtained from Gramapanchayat.

I had also given notices to the realtors of the said Layouts by registered post with acknowledgement due and also in person about the irregularity of their developed layout. They have also taken the notices and only the layout owner shown in Sl.No.7 has responded and paid the layout fees amount of **Rs.5,20,500/- through cheque No.574196 Dt.01.10.2015 of the S.B.I. Srikakulam**. The amount was adjusted to the Gram Panchayat General Funds on 09.10.2015. The realtors of remaining Layouts were not responded so far.

Further, it is submitted that the Thotapalem Gram Panchayat and Etcherla Mandal were included in the Visakha Urban Development Authority along with certain other villages and Mandals in the Srikakulam District vide G.O.Ms. 525 MA &U D Dt. 30.07.2008. Accordingly, the control over the lay outs and building permission, such powers were transferred to the VUDA Authorities as per the GO.Ms.No.451 MA & UD 26.08.1988. But, the Govt., have restored only some powers to the Gram Panchayats vide GO.Ms.No.408 MA&UD Dt. 08.08,1991 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas; plot sub- division permissions in VUDA approved layouts etc.

Further, it is submitted that the list of un-authorized layouts in the Thotapalem Gram Panchayat were submitted to VUDA Authorities and Higher authorities for further necessary action. No building permission was given to any owner in the said layouts for construction of dwellings, And I submit that no fault upon me as I have taken action at my level best in this aspect while working short duration as in-charge to the post of Panchayat Secretary of Thotapalem Gram Panchayat.

Therefore, I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Article of charge-II** : That Sri.T.Kurma Rao Panchayat Secretary, Thotapalem, Gram Panchayat, Srikakulam District has caused loss to Government and Thotapalam Gram Panchayat, Etcherla Manda, Srikakulam District violating the Govt., orders issued in G.O.Ms.No.67 PR&RD (Pts. IV) Dept., Dt.26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of delinquent Officer :-**

In this connection, I submit that the layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the 2006 to 2007. They were not developed during my tenure. The control over the formation of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Thotapalem and Duppalavalasa villages of Etcherla Mandal along with Gram Panchayats of certain other Mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.Ms.No.25 MA & UD dept., dt.30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and Higher authorities for necessary further course of action. Further, I submit that as per the imputation shown for issuing charge are that the Gram Panchayat authorities have failed to collect the Non- Agriculture Land Tax and caused to loss to the Government and Panchayat.

In this connection, it is submitted that the empowering and enforcement responsibility of the AP Agricultural purpose Act 2006 come in to force from 02.01,2006 and different Land laws is rests upon the Revenues authorities concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Kabi seasons of every year in the agricultural filed. When it was identified that the land utilized against the Agriculture activity should take action accordingly as the unauthorized layouts developed by converting agriculture land. The Gram Panchayat Secretary is looking over Panchayat Administration i.e., Tax Collection issue of Building permissions, Licenses, Births and Deaths, Maintenance of Gram Panchayat records and Accounts and also disbursement of Social Security Pensions etc.

Therefore, I am denying this charge that I have caused to loss of Rs. 6,65,30,936/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 and 2010 without following the rules and regulation issued in G.O.Ms.No.67 PR&RD (Pts-II) Dt.26.02,02 and the un-authorized layouts approvals are liable to cancellation by the VUDA Authorities at



any time or taking course of necessary action. I request the authorities to consider the above matter and drop the charges upon me.

It is not possible at Panchayat Secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities as the where about of Realtors was not found place.

Therefore, I request the authorities condone the delay due heavy work and also I request to drop the charges issued against me by considering the overall facts.

**Presenting officer remarks :-** As the office records he worked in Thotapalem Gram Panchayat from **08.08.2012 to 00.08.2016.**

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P.Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge from 08.08.2012 to 29.12.2015. The layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the 2006 to 2007. They were not developed during his tenure. The Charged Officer has stated that the control over the formation of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Thotapalem and Duppalavalasa villages of Etcherla Mandal along with Gram Panchayats of certain other Mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.Ms.No.25 MA & UD dept., dt.30.07.2008.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II:-** The tenure of officiating of the Charged Officer is from **08.08.2012 to 29.12.2015** as per the report of the MPDO, Etcherla Mandal, Srikakulam District. All the said illegal approved layout Resolutions covered by the period during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively i.e, prior to the joining of the Charged Officer, And also the charged Officer, has issued notices to the concerned layout owners to pay the all pending Govt. dues and register 10% open place by way of register post. As per the notice issued by the charged Officer, one layout owner i.e., Sri. J.Ginunar Rao, SriBalaji Investment, Srikakulam has paid an



amount of Rs,5,20,000/- towards layout fees to the Gram Panchayat .Accordingly, In this regard the charged Officer, has taken action for recovery of Govt, due amount as per record evidence.Hence **therefore, the Charges I and II are not held proved.**

**(2) Etcherla Gram Panchayat :-**

**01.Name of the delinquent Officer, :- Smt.R.Sudha Rani, the then Panchayat Secretary Gr-I, Etcherla Gram Panchayat:**

**The following Article of Charges were framed against the above Charged Officer vide G.O.Ms.No.301 dt.28.03.2016.**

**Article of Charge-I :** That Smt. R.Sudha Rani, the then Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District while working as Panchayat Secretary, Etcherla Gram Panchayat has committed irregular approval of Layout Plan in Etcherla Village of Etcherla Mandal in the area of VUDA/ DTPC., violating the rules and failure to guide the Local Body, also failure to get the 10% of Open space registered to Gram Panchayat with fees payable, Failed to purse action properly and caused loss to the Gram Panchayat. Hence, the Charge.

**Defence statement of Charged Officer :-**

In the regard, I submit that, I worked as Panchayat Secretary of Etcherla Gram Panchayat from April 2004 to August 2012. The 4 layouts said to have been irregular were made by the layout without obtaining technical approvals by the Regional Director and Town and Country Planning and also obtaining the final approvals by the Gram Panchayat, while considering approvals initially by the Gram Panchayat that the 10% open spaces were shown in the lay out plans. But, later the owners have not observed the subsequent conditions. I did not noticed even up to the allegations made by the certain villagers and the Enquiry Officer have come to visit the places of layouts as there are no signs of layouts except certain land mark stones placed on the area.

S. No	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution and date
1	Sri Laxmi Township, Etcherla	23.00	Resolution No.7 Dt.15.09.2006
2.	Sai Sampath Township, Etcherla	30.99	ResolutionNo.6(A) Dt.02.03.2007
3.	Sai Ganesh Priya Township, Etcherla	11.3	ResolutionNo.6(B) Dt.02.03.2007
4.	Sanapala Dhanalaxmi Layout, Etcherla	4.33	Layout developed without notice of the Gram Panchayat or any Competent Authority

As and when noticed the irregularity, I have issued notices to the Realtors as follows as per the addresses noted in the plan copy of layout to the owners of the said layouts separately by registered post with acknowledgement due. But, all the notices were returned to the Gram Panchayat Office with a remark that no such addresses at the location of addresses informed. In this connection, I submit that no fault at me as the layouts are shown on the papers, but in the field no such signs except certain land stones erected. Hence, no possibility to identify the layouts as there are no any building construction. Further, it is submitted that the Etcherla Gram Panchayat and Etcherla Mandal were included in the Visakha Urban Development Authority along with certain other Villages and Mandals in the

Srikakulam District vide G.OMs.525 MA & UD Dt.30.07.2008, Accordingly, the control over the layouts and building permission, such powers were transferred to the VUDA authorities as per the G.O.Ms.No.451 MA & UD Dt.26.08.1998. But, the Govt., have restored only some powers to the Gram Panchayats vide G.O.Ms.No.408 MA&UD dt. 08.08.1991 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas: plot sub-division permissions in VUDA approved layouts etc. Further, it is submitted that the list of unauthorized layouts in the Etcherla Gram Panchayat were submitted to VUDA authorities and higher authorities for further necessary action. No building was given to any owner in the said layouts for construction of residence buildings. And I submit that no fault upon me as I have taken action at my level best in this aspect.

Further, she was submit that the enquiry was already conducted and articles of charges issued against me and also conducting disciplinary action that 3 Annual grade increments were stopped without cumulative increments in this issue by the then District Collector, Srikakulam, Now, once again the authorities have issued this articles are against to the natural justice. Therefore, I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Presenting officer remarks :-** Accordingly to smt. P.Sudha Rani ,Panchayat Secretary, she worked as Panchayat Secretary from 04.2004 to 08-2012.The layouts approval given by the Gram Panchayat only; not by the town paln. This conection disciplinary action was initiated, she stated that 3 annual increments stopped without cumulative.

**Article of charge-II:** That Smt.R.Sudha Rani, the then Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam District has caused loss to Government and to Etcherla Gram Panchayat, Etcherla Mandal, Srikakulam District violating the Govt., orders issued in G.O.Ms.No. 67 PR&RD (Pts.IV) Dept., Dt. 26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of Charged Officer :-**

In this connection, I submit that the layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the year 2006 and 2007. They were sent to the technical authorities by the then Sarpanch of the Etcherla Gram Panchayat. Later, the control over the formation of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Etcherla and the villages of Etcherla Mandal along with Gram Panchayats of certain other mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide GO.Ms.No.525 MA & UD Dt.30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and higher authorities for necessary further course of action. Further, I submit that as per the imputation shown for issuing charge are the Gram Panchayat authorities have failed to collect the Non-Agriculture Land Tax and caused loss to the Government and Panchayat. In this connection, it is submitted that the empowering and enforcement responsibility of the AP Agricultural purpose Act 2006 come into force from 02.01,2006 and different Land laws is rests upon the Revenue authorities

concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural field. When it was identified that the land utilized against the agriculture activity should take action accordingly as the unauthorized layouts developed by converting Agriculture Land. The Panchayat Secretary is looking over Panchayat Administration i.e., Tax Collection issue of building permissions, Licenses, Births and Deaths, Maintenance of Gram Panchayat records and accounts and also disbursement of Social Security Pensions etc.

Therefore, I am denying this charge that I have caused to loss of Rs.3,02,23,892/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 and 2007 without following the rules and regulations issued in G.O.Ms.No.67 PR&RD (Pts-II) Dt.26.02.02 and the unauthorized layouts approvals are liable to cancellation by the VUDA authorities at anytime or taking course of necessary action. I request the authorities to consider the above matter and drop the charges upon me.

In this regard I submit that I have co-operated amicably while enquiry conducted by the vigilance authorities and it is not possible at Panchayat Secretary level to take action against the reactors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities as the where about of Realtors were not found. Therefore, I request the authorities to drop the charges issued against me by considering the overall facts.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats.

All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P. Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer has joined as regular Panchayat Secretary, Ethcerla G.P., on 04.02.2002 and worked up to 23.08.2012. During her officiation as Panchayat Secretary she approved (4) layouts which are in accordance in terms of G.O.Ms.No.67 PR & Rd (Pts.IV) Dept., dt.26.02.2002 irregular approval of Layout Plan in the area of VUDA, Visakhapatnam and thus violated the rules and regulations.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II :-** I submitted that the charged Officer, an appeal filed before the Commissioner, PR&RD i.e., appeal authority against the orders of minor punishment of stoppage of (3) annual grade increments without cumulative effect by the then Collector, Srikakulam, and requested to necessary further orders. In this connection it is submitted that the appellate authority i.e., Commissioner, PR&RD set-aside the orders issued by the then Collector, Srikakulam and directed to initiation of fresh disciplinary proceedings and also instructed to Collector, (Pt.wing) Srikakulam is directed to submit draft Article of charges under rule 20 of APCS(CC&A) Rules 1991.vide proceedings No.3206/B1/2015, Dt. 14.05.2015 of the Commissioner, PR&RD. In this regard, necessary draft article of charges have already been submitted to Commissioner, PR&RD. The Commissioner, PR&RD has issued orders, the Divisional Panchayat Officer, Srikakulam as Enquiry Officer, and E.O. (PR&RD) Etcherla appointed as Presenting Officer, Vide Proceedings Rc.No.418529/B1/2020, Dt. 19.11.2020. At present the charges is pending against the above charged Officer.

Further it is submitted that I submit that the contention of the Charged Officer, it is not covered in this disciplinary case. i.e., (Vig.Report.20) in other disciplinary case the punishment of stoppage of 3 Annual grade increments were awarded which is not connected with this Articles of Charges.

In view of the above, further it is submitted that the charged Officer, worked in Panchayat Secretary of Etcherla Gram Panchayat & Mandal., for such a long period of 10 years w.e.f 04.02.2002 to 23.08.2012 respectively as per the report of the then MPDO, Etcherla vide Rc.No.43/2015/SA dt.29.12.2015. During her officiating as Panchayat Secretary, she approved (4) layouts unauthorizedly in Etcherla G.P. which lies in VUDA/DTCP, violated the rules without obtaining the technical approvals of the competent authority, and failure to get the 10% of Open space registered to Gram Panchayat with fees payable, failed to pursue action properly and caused loss to the Gram Panchayat as per the vig. report 20 or instructions of the higher authorities, **Therefore, the Charges I and II are held proved.**

**02.Name of the delinquent Officer, :- Sri.D. Ananda Rao**  
**The then Panchayat Secretary Gr-I, Etcherla Gram Panchayat**

**The following Article of Charges were framed against the above Charged Officer vide G.O.Ms. No.304 dt.28.03.2016.**

**Article of Charge-I :-** Sri D.Ananda Rao, the then Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District while working as Panchayat Secretary, Etcherla Gram Panchayat has failure to get the 10% of open space registered to Gram Panchayat from layout Developers with fees payable, Hence the Charge.

**Defence statement of Charged Officer :-**

In this regard, I submit that I have taken charge of Panchayat Secretary of Etcherla Gram Panchayat on 23.08.2012 and worked up to 30.03.2014. The 4 layouts said to have been irregular were not developed in my tenure. I did not noticed even up to the vigilance authorities have come to visit the places of layouts as there are no signs of layouts except certain land mark stones placed on the area



After noticing the irregularity the old records were verified and it was observed the following layouts were approved by the Gram Panchayat Etcherla in the resolutions noted against each.

S.No	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution and date
1	Sri Laxmi Township, Etcherla	23.00	Resolution No.7 Dt.15.09.2006
2.	Sai Sampath Township, Etcherla	30.99	Resolution No.6(A) Dt.02.03.2007
3.	Sai Ganesh Priya Township, Etcherla	11.3	Resolution No.6(B) Dt.02.03.2007
4.	Sanapala Dhanalaxmi Layout, Etcherla	4.33	Layout developed without notice of the Gram Panchayat or any competent authority

As and when noticed the irregularity, I have issued notices to the Realtors and the owners of the said layouts separately by Registered post with Acknowledgement due. But, all the notices were returned to the Gram Panchayat Office with a remark that no such addresses at the location of addresses informed which were kept in the Grama panchayat office, Etcherla. In this connection, I submit that no fault at me as the layouts are shown on the papers, but in the field no such signs except certain land stores erected. Hence no possibility to identify the layouts as there is no any building construction. Further, it is submitted that the Etcherla Gram Panchayat and Etcherla Mandal were included in the Visakha Urban Development Authority along with certain other villages and Mandals in the Srikakulam District vide G.O.Ms.No.525 MA &UD Dt.30.07.2008. Accordingly, the control over the layouts and building permission, such powers were transferred to the VUDA Authorities as per the Go.Ms.No.451 MA & UD.26.08.1988. But, the Govt., have restored only some powers to the Gram Panchayats vide Go.Ms.No.408 MA&UD Dt. 08.08.1991 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas; plot sub- division permissions in VUDA approved layouts etc.Further, it is submitted that the list of un-authorized layouts in the Etcherla Gram Panchayat were submitted to VUDA Authorities and Higher authorities for further necessary action. No building permission was given to any owner in the said layouts for construction of dwellings. And I submit that no fault upon me as I have taken action at my level best in this aspect. Therefore, I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Presenting officer remarks :-** He worked at Thotapalem Gram Panchayat from **28.03.2012 to 30.03.2014**. He was given explanation on 19.05.2016(earlier) he stated that he will stick on to that explanation at present the explanation was not at this end.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above



Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P.Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge Panchayat Secretary of Etcherla Gram Panchayat on 23.08.2012 and worked up to 30.03.2014. The 4 layouts said to have been irregular were not developed in his tenure.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**Article of Charge-II:-** That D.Ananda Rao, the then Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District has caused loss to Government and to Etcherla Gram Panchayat, Etcherla Mandal Srikakulam District violating the Govt., orders issued in G.O.Ms.No. 67 PR&RD Dept., Dt. 26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence the Charge.

**Defence statement of Charged Officer :-**

In this connection, I submit that the layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the year 2006 and 2007.

And the control over the formation of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Etcherla and villages of Etcherla Mandal along with Gram Panchayats of certain other mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.Ms.No.523 MA & UD Dt.30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and Higher authorities for necessary further course of action. Further, I submit that as per the imputation shown for issuing charge are the Gram Panchayat authorities have failed to collect the Non-Agriculture Land Tax and caused to loss to the Government and Panchayat. In this connection, it is submitted that the empowering and enforcement responsibility of the AP Agricultural purpose Act 2006 come in to force from 02.01.2006 and different Land laws is rests upon the Revenue authorities concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural filed. When it was identified that the land utilized against the Agriculture activity should take action accordingly as the unauthorized layouts developed by converting agriculture land. The Panchayat Secretary is looking over Panchayat Administration i.e., Tax Collection issue of Building permissions, Licenses, Births and Deaths, Maintenance of Gram Panchayat records and Accounts and also disbursement of

Social Security Pensions etc. Therefore, I am denying this charge that I have caused to loss of Rs3,02,23,892/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 and 2007 without following the rules and regulation issued in Go.Ms.No.67 PR&RD(Pts-II) Dt.26.02.02 and the un-authorized layouts approvals are liable to cancellation by the VUDA Authorities at any time or taking course of necessary action. I request the authorities to consider the above matter and drop the charges upon me. In this regard, I submit that I have co-operated amicably while enquiry conducted by the vigilance authorities and it is not possible at Panchayat secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities as the where about of Realtors was not found place. Therefore, I request the authorities to drop the charges issued against me by considering the overall facts.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement,

denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P. Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge Panchayat Secretary of Etcherla Gram Panchayat on 23.08.2012 and worked up to 30.03.2014. The 4 layouts said to have been irregular were not developed in his tenure.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II:-**

I submit that all the above irregular layouts pertains to the period from years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively. Therefore, the Charged Officer is not connected with the approval of the layouts illegally. But in this connection it is submitted that the charged Officer, has not take any action for recovery of Govt, due amounts form the concerned layout owners in his tenure, and also there is no show the any action taken papers or records, due to for recovery of Govt, due amounts, in his defense statement at the time of enquiry. Being a responsible Panchayat Secretary, he is not supposed to defend his responsibility by stating that it is not possible at Panchayat Secretary level to take

action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities time to time as the where about of Realtors was not found place. This shows his callousness and recklessness towards his official duties as a Panchayat Secretary which is highly objectionable. Therefore, the **Charges I and II are held proved.**

**03.Name of the delinquent Officer:- Smt.T. Kurma Rao, the then Panchayat Secretary Gr-I, Etcherla Gram Panchayat**

The following Article of Charges were framed against the above Charged Officer vide G.O.Ms.No.305 dt.28.03.2016.

**Article of Charge-I :-** That Sri. T.Kurma Rao, the then Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District while working has Panchayat Secretary Etcherla Gram Panchayat has failure to pursue action properly and causes loss to the Gram Panchayat of Etcherla, Srikakulam District Hence the Charge.

**Defence statement of Charged Officer :-** In the regard I submit that I have taken charge of Panchayat Secreta of Etcherla Gram Panchayat on 31.03.2014 and worked up to 28.06.2014. I have discharged the duties only 3 months as in-charge. The 4 layouts said to have been irregular were not developed in my tenure. The layouts said to have been notice in my tenure as there are no signs of layouts except certain land mark stones placed on the area. I had not observed that the following layouts were approve by the Gram Panchyat Etcherla in the resolutions noted against each as I had worked as incharge Panchayat Secretary for short period.

S.No	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution and date
1	Sri Laxmi Township Etcherla	23.00	Resolution No.7 Dt.15.09.2006
2.	Sai Sampath Township Etcherla	30.99	Resolution No.6(A) Dt.02.03.2007
3.	Sai Ganesh Priya Township Etcherla	11.3	Resolution No.6(B) Dt.02.03.2007
4.	Sanapala Dhanalaxmi Layout, Etcherla	4.33	Layout developed without notice of the Gram Panchayat or any competent authority

In this connection, I submit that no fault at me as the layouts are shown on the papers, but in the field no such signs except certain land stones erected and the layouts were not developed during my tenure. Hence no possibility to identify the layouts as there are no any building constructions in the above layouts. Further, it is submitted that Etcherla Gram Panchayat and Etcherla Mandal were included in the Visakha Urban Development Authority along with certain other villages and Mandals in the Srikakulam District vide G.O.Ms.No.525 MA &UD Dt, 30,07.2008. Accordingly, the control over the lay outs and building permission, such powers were transferred to the VUDA Authorities as per the G.O.Ms.No.451 MA & UD dept., dt.26.08.1988. But the Govt,, have restored only some powers to the Gram Panchayats vide G.O.Ms.No.408 MA&UD dept., dt.08,08.1991 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas; plot sub- division permissions in VUDA approved layouts etc. No building permission was given to any owner in the said layouts for

✓ construction of dwellings during my incharge period, Therefore I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Article of Charge-II:-** That T.Kurma Rao Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District has caused loss to Government and to Etcherla Gram Panchayat, Etcherla Mandal Srikakulam District violating the Govt., orders issued in G.O.Ms. No. 67 PR&RD Dept., Dt. 26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of Charged Officer :-**

In this connection, I submit that the layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the year 2006 and 2007. And the control over the formation of layouts, development of layouts and also issue of permissions were transferred to the VUDA authorities as the Gram Panchayat, Etcherla and villages of Etcherla Mandal along with Gram Panchayats of certain other mandals in Srikakulam District as they have been included in the VUDA jurisdiction vide G.O.Ms.No.525 MA &UD dept., dt.30.07.2008, However, it is not possible to notice the un authorized layouts in the span of 3 months work period. Further, I submit that as per the imputation shown for issuing charge are the Gram Panchayat authorities have failed to collect the Non-Agriculture Land Tax and caused to loss to the Government and Panchayat. In this connection, it is submitted that the empowering and enforcement responsibility of the AP Agricultural purpose Act 2006 come in to force from 02.01.2006 and different Land laws is rests upon the Revenue authorities concerned as the Revenue authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural filed. When it was identified that the land utilized against the Agriculture activity should take action accordingly as the unauthorized layouts developed by converting agriculture land. The Panchayat Secretary is looking over Panchayat Administration i.e., Tax Collection issue of Building permissions, Licenses, Births and Deaths, Maintenance of Gram Panchayat records and Accounts and also disbursement of Social Security Pensions etc. Therefore, I am denying this charge that I have caused to loss of Rs.3,02,23,892/- to the Government and Panchayat as the approvals for the layouts were given by the Gram Panchayat during the year 2006 and 2007 without following the rules and regulation issued in G.O.Ms.No.67 PR&RD (Pts-1I) Dt,26.02.02 and the un-authorized layouts approvals are liable to cancellation by the VUDA Authorities at any time or taking course of necessary action, I request the authorities to consider the above matter and drop the charges upon me. Therefore, I request the authorities to drop the charges issued against me by considering the overall facts.

*check*  
**Presenting Officer remarks :-** He worked at Etcherla from 08.08.2012 to August,2016.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and



having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P.Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he worked as Panchayat Secretary, Thotapalam Gram Panchayat as In-charge from 08.08.2012 to 29.12.2015 as reported by the MPDO, Etcherla vide Rc.No.43/2015 SA dt.29.12.2015.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II :-** I submit that the Charged Officer has worked as Panchayat Secretary (I/c), Etcherla G.P., for the period from 31.03.2014 to 28.06.2014 nearly **for a period of (3) months** as per the report of the MPDO, Etcherla vide Rc.No.43/2015/SA dt.29.12.2015. All the above irregular layouts pertains to the period from years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively. **Therefore, the Charged Officer is not connected with the approval of the layouts illegally.** But in this connection it is submitted that the charged Officer, has not take any action to issue of notices or tangible action for recovery of Govt, due amounts, from the concerned layout owners in his tenure, and also there is no shown the any action taken reports or records, for recovery of said Govt, due amounts, in his defense statement at the time of enquiry. Being a responsible Panchayat Secretary, he is not supposed to defend his responsibility by stating that it is not possible at Panchayat Secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities time to time as the where about of Realtors was not found place. This shows his callousness and recklessness towards his official duties as a Panchayat Secretary which is highly objectionable. Therefore, the **Charges I and II are held proved.**

**04.Name of the Charged Officer:- Sri.K.Tirupathi Rao, the then Panchayat Secretary Gr-II, Etcherla Gram Panchayat.**

The following Article of Charges were framed against the above Charged Officer vide G.O.Ms.No.306 dt.28.03.2016.

**Article of Charge-I :-** That Sri. K. Tirupathi Rao, the then Panchayat Secretary, Etcherla Gram Panchayat Srikakulam District while working has Panchayat Secretary Etcherla Gram Panchayt has failure to pursue action properly and causes loss to the Gram Panchayat of Etcherla, Srikakulam District. Hence, the Charge.

**Defence statement of delinquent Officer :-**

In this regard, I submit that I have taken charge of Panchayat Secretary of Etcherla Gram Panchayat on 28.06.2014. The 4 layouts said to have been irregular were not developed in my tenure. I did not noticed even up to the vigilance authorities have came to visit the places of layouts as there are no signs of layouts except certain land mark stones placed on the areas. After noticing the irregularity the old records were verified and it was observed the following layouts were approved by the Gram Panchayat Etcherla in the resolutions noted against each.



S.No	Name of the Layout	Extent in Acres	Gram Panchayat approved in which resolution and date
1	Sri Laxmi Township, Etcherla	23.00	Resolution No.7 Dt.15.09.2006
2.	Sai Sampath Township, Etcherla	30.99	ResolutionNo.6(A) Dt.02.03.2007
3.	Sai Ganesh Priya Township, Etcherla	11.3	ResolutionNo.6(B) Dt.02.03.2007
4.	Sanapala Dhanalaxmi Layout, Etcherla	4.33	Layout developed without notice of the Gram Panchayat or any competent authority

As and when noticed the irregularity, I have issued notices to the Realtors as follows as per the addresses noted in the plan copy of layout vide Rc.No.17/2016 Dt. 23.03.2016 to the owners of the said layouts separately by Registered post with Acknowledgement due. But, all the notices were returned to the Gram Panchayat Office with a remark that no such addresses at the location of addresses informed. In this connection, I submit that no fault at me as the layouts are shown on the papers, but in the field no such signs except certain land stores erected. Hence no possibility to identify the layouts as there is no any building construction. Further, it is submitted that the Etcherla Gram Panchayat and Etcherla Mandal were included in the Visakha Urban Development Authority along with certain other villages and Vandals in the Srikakulam District vide G.O.Ms.No.525 MA&UD Dt. 30.07.2008. Accordingly, the control over the lay outs and building Permission, such powers were transferred to the VUDA Authorities as per the G.O.Ms.No.451 MA & UD dept., dt.6.08.1988. But, the Govt., have restored only some powers to the Gram Panchayats vide G.O.Ms.No.408 MA&UD dept.,dt.8.08.1991 such as grant of only building permission for G+2 floors in approved layouts, residential building permissions in village settlement areas; plot sub-division permissions in VUDA approved layouts etc.

Further, it is submitted that the list of un-authorized layouts in the Etcherla Gram Panchayat were submitted to VUDA Authorities and Higher authorities for further necessary action. No building permission was given to any owner in the said layouts for construction of dwellings. And I submit that no fault upon me as I have taken action at my level best in this aspect.

Therefore, I am denying this article of charge for imposing the charge upon me. I request the authorities to drop the charge by considering the above facts.

**Article of Charge-II:-** That K.Tirupathi Rao, Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam District has caused loss to Government and to Etcherla Gram Panchayat, Etcherla Mandal, Srikakulam District violating the Govt., orders issued in G.O.Ms.No 67 PR&RD Dept., Dt.26.02.2002 irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body. Hence, the Charge.

**Defence statement of Charged Officer :-**

In this connection, I submit that the layouts said to have been unauthorized layouts without following the rules and regulations in the forming of layouts were approved by the Gram Panchayat, Etcherla during the year 2006 and 2007. And the control over the formation of layouts, development of layouts and also

issue of permissions were transferred to the VUDA authorities as the Gram Panchayat Etcherla and villages of Etcherla Mandal along with Gram Panchayats of certain other mandals in the Srikakulam District as they have been included in the VUDA jurisdiction vide Go MS No. 525 MA &UD dept., dt.30.07.2008. As the lists of unauthorized layouts in the Gram Panchayat were submitted to the VUDA authorities and Higher authorities for necessary further course of action. Further, I submit that as per the imputation shown for issuing charge are the Gram Panchayat authorities have failed to collect the Non-Agriculture Land Tax and caused to loss to the Government and Panchayat.

In this connection, it is submitted that the empowering and enforce responsibility of the AP Agricultural purpose Act 2006 come in to force from 02.01.2006 and different Land laws is rests upon the Revenue Authorities concerned as the Revenue Authorities have to look after and record that what kind of crops are enjoyed both in Kharif and Rabi seasons of every year in the agricultural filed. When it was identified that the land utilized against the Agriculture activity should take action accordingly as the unauthorized layouts developed by converting agriculture land. The Panchayat Secretary is looking Panchayat Administration i.e., Tax Collection issue of Building permissions, Licenses, Births and Deaths, Maintenance of Gram Panchayat records and Accounts and also disbursement of Social Security Pensions etc. Therefore, I am denying this charge that I have caused to loss of Rs.3,02,23,892/- to the Government and Panchayat as the approvals for the layout were given by the Gram Panchayat during the year 2006 and 2007 without following the rules and regulation issued in G.O.Ms.No.67 PR&RD (Pts-II) Dt.26.02.02 and the un-authorized layouts approvals are liable to cancellation by the UDA Authorities at any time or taking course of necessary action. I request the authorities to consider the above matter and drop the charges upon me. In this regard, I submit that I have co-operated amicably while enquiry conducted by the vigilance authorities and it is not possible at Panchayat secretary level to take action against the Realtors who have developed the layout without any license and also without following the rules and regulations unless a clear direction from the higher authorities as the where about of Realtors was not found place.

Therefore, I request the authorities to drop the charges issued against me by considering the overall facts.

**Presenting Officer remarks :-** He worked at Etcherla from 28.06.2014 to 18.07.2019. He was given explanation on 19.05.2016 (earlier). He stated that he will stick on to that explanation at present the explanation was not at this end.

**III. Case of the Disciplinary Authority:** I submit that the disciplinary proceedings have been initiated by framing Article of Charges against Smt.M.Renuka and (7) others in the common proceedings on the Allegations of Unapproved and irregular Layouts in Thotapalem Gram Panchayat and Etcherla Gram Panchayat of Etcherla Mandal of Srikakulam District. Evasion Security Deposit and layout fees and non-registration of 10% of Layout area as open space, caused loss of Revenue of Rs.6,67,54,828/- to Gram Panchayats. All the above Charged Officers have submitted their defence statement, denying the charges made and requested to drop further action against them in the matter. The Govt., after examination of the matter and having not satisfied the Written Statement of defence submitted by the Charged Officers have decided to conduct regular enquiry into the charges framed against all

the above (7) the then Panchayat Secretaries who worked as Panchayat Secretaries in Thotapalem and Etcherla Gram Panchayats in Srikakulam District under A.P.C.S (CC&A) Rules, 1991 r/w A.P. Revised Pension Rules, 1980.

**IV. Case of the Defendant:** The Charged Officer in his Written Statement has stated that he has taken charge as Panchayat Secretary, Etcherla G.P., on 28.06.2014 and stated that the unauthorized (4) Layouts have not been developed during his tenure.

**V. Analysis and Assessment of Evidence:** As could be verified the layout Resolutions, all of them have been approved during the years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively.

**VI. Findings of the Enquiry Officer on Charges I and II :-** I submit that the Charged Officer has worked as Panchayat Secretary, Etcherla G.P., for the period from 28.06.2014 to 18.07.2019 till to-date as per the report of the MPDO, Etcherla vide Rc.No.43/2015/SA dt.29.12.2015. All the above (4) irregular layouts pertain to the period from years 2006 (14.05.2006), 2007, 2008, 2009 and 2010 (30.12.2010) respectively. **Therefore, the Charged Officer is not connected with the approval of the above (4) layouts illegally.** And also the charged Officer, has issued notices to the concerned layout owners to pay the all pending Govt. dues and register 10% open place and directed to regularize the layout by way of register post and also same copy submitted to the Planning Officer, VUDA, Srikakulam. Therefore, **the Charges I and II are not proved.**

Summing up the above, I submit that earlier during the year 2015, the above matter was got enquired in detail by the Vigilance & Enforcement Department and along with the Revenue Officials and concerned Panchayat Secretaries of Etcherla and Thotapalem Gram Panchayats of Etcherla Mandal, Srikakulam District have jointly conducted inspection of unauthorized and illegal layouts formed in the respective Gram Panchayats and verified the permissions and adherence of the rules in payment of charges to the Government for Conversion of Agricultural lands converted into Non-Agricultural Lands for commercial purposes.

II. The illegal formation of layouts is covered by an extent of Ac.71.86 cents in Thotapalem Gram Panchayat and similarly an extent of Ac.60.62 cents in Etcherla Gram Panchayat lies in Etcherla Mandal for residential purpose by certain Realtors without proper approval of Layouts by the Competent Authority.

- I. The concerned Panchayat Secretaries of Thotapalem and Etcherla Gram Panchayats have failed to discharge their legitimate duties to forward the said proposals for approval of Layout Plans to the Competent Authority and also failed to collect the evaded recovery payable by the Realtors. As such, there is a loss of Revenue cause to the Gram Panchayats to a tune of Rs.6,67,54,828/-.

**ANNEXURE – I**  
**LIST OF EXHIBITED DOCUMENTS**

**Exhibit-I :** The following Panchayat Secretaries have submitted their Written Explanation/Representation on the date of enquiry i.e., 24.11.2021.

01. Smt.M.Renuka, the then PS Thotapalam GP of Etcherla (M)
02. Sri. M.Suryanarayana, the then PS Thotapalam GP of Etcherla
03. Sri. M.Srinivasa Rao, the then PS Thotapalam GP of Etcherla
- 04.Sri. T.Kurma rao, the then PS Thotapalam & Etcherla GPs of Etcherla
- 05.Smt. R.Sudha Rani, the then PS Etcherla GP of Etcherla(M)
- 06.Sri. D. Anada Rao, the then PS Etcherla GP of Etcherla(M)
- 07.Sri. K. Tirupathi rao. the then PS Etcherla GP of Etcherla(M)

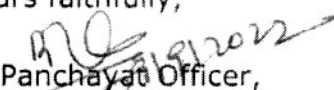
**Exhibit-II:** This office Rc. No.1686/2015 P2 dt12-11.2021. (Notice issued to the Panchayat Secretaries to attend for the enquiry).

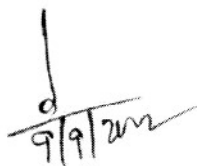
**Exhibit-III:** Presenting note of the Presenting Officer, i.e., Mandal Parishad Development Officer, Etcherla mandal Srikakulam district.

**Exhibit-IV:** Present Panchayat Secretaries statements

**Exhibit- V :-** Minutes of meeting resolutions copies of the Thotapalem & Ethcerla Gram Panchayat

Yours faithfully,

  
District Panchayat Officer,  
Srikakulam &  
Inquiry Officer.

  
9/9/2022



ATTENDENCE FOR CONDUCT OF INQUIRY ON 24.11.2021 AT 11.00 AM, IN THE OFFICE OF THE DISTRICT PANCHAYAT OFFICE, SRIKAKULAM AS PER THE GO Rt. NO. 212 PR7RD (VIG-III) DEPT . DT. 21.02.2019 AGAINST THE ARTICLES OF CHARGES ISSUED BY THE GOVT PR& RD DEPT. VIDE GO RT.NO.S 24, 298, 301,302,303,304,305,306, Dt. 28.03.2016.

01.NAME OF THE ENQUIRY OFFICER, :- SRI.V.RAVI KUMAR,

02.DESIGNATION :- DISTRICT PANCHAYAT OFFICER,SRIKAKULAM

03 .NAME OF THE PRESENTING OFFICER, :- SMT. M.PAVANI

04 .DESIGNATION :- MANDAL PARISHAD DEVELOPMENT OFFICER, ETCHERLA MANDAL.

CHARGED OFFICIALS :-

SL. NO.	NAME OF THE EMPLOYEE THE THEN DESIGNATION & THE THEN WORKING GRAMPANCHAYAT (SARVASREE)	PRESENT DESIGNATION	PLACE OF WORKING STATION	SIGNATURE OF THE EMPLOYEE
01	02	03	04	05
1	M.Suryanarayana, the then PS-Gr-III, Thotapalem GP, Etcherla Mandal.	Retired form Service	C	Absent
2	Smt. M.Ranuka, the then PS-Gr-I Thotapalem GP, Etcherla Mandal.	E.O.(PR&RD)	Amadalavalasa(M)	M. Ranuka 24/11/21 E.O. PR&RD Amadalavalasa
3	M.Srinivasa Rao, the then PS-Gr-IV Thotapalem GP, Etcherla, Mandal.	PS-Gr-IV	<del>Thotapalem GP</del> Laveru Mandal G.P Kothavaram	H. Srinivasa Rao 24/11/21 P.S. K.S. Palem 8778914139
4	T.Kurma Rao PS-Gr-I Thotapalem GP, Etcherla, Mandal.	PS-Gr-I	Jadupudi GP Kanchili Mandal	K. Kurma Rao P.S. Tadipatri 7893024479
5	Smt. R.Sudha Rani, PS Gr-I the then Etcherla, GP, & Etcherla Mandal.	Administrative Officer,	O/O M.P.D.O. Nadigam (M)	R. Sudha Rani 24/11/21 No. 441320226. Nadigam
6	D.Ananda Rao, PS -Gr-I the then Etcherla, GP, & Etcherla Mandal.	PS-Gr-I	Tulugu GP Gara(M)	D. Ananda Rao 24/11/21 P.S. Tuluru 7013716643
7	T.Kurma Rao, PS Gr-I the then Etcherla, GP, & Etcherla Mandal.	PS-Gr-I	Jadupudi GP Kanchili Mandal	K. Kurma Rao P.S. Tadipatri 7893024479
8	K.Tirupathi Rao, PS Gr-II the then PS, Etcherla, GP, & Etcherla Mandal.	PS-Gr-II	Santhavurthy GP G.Sigadam(M)	K. Tirupathi Rao 24/11/21 P.S. Santhavurthy 8885772298

9. Present Panchayat Secretary, Thotapalam, GP, Etcherla Mandal :- *24/11/21*

10. Present Panchayat Secretary, Etcherla GP, & Etcherla Mandal :- *P. Vinodh*  
*24/11/2021*

11. Divisional Panchayat Officer, Srikakulam

*:- Jharany*  
*Divl. Panchayat Officer,*  
*SRIKAKULAM.*

Signature of the Enquiry Officer,

*:- [Signature]*  
*DIST. PANCHAYAT OFFICER,*  
*SRIKAKULAM*

Signature of the Presenting Officer,

*:- M. Pavani*  
*24/11/2021*  
*M.P.O.*  
*Etcherla Mandal.*

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